

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CISCO SYSTEMS, INC.,

Plaintiff-Appellant,

v.

No. 2017-2145

ARISTA NETWORKS, INC.,

Defendant-Appellee.

**DECLARATION OF KATHLEEN M. SULLIVAN IN SUPPORT OF
PLAINTIFF-APPELLANT’S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE OPENING BRIEF**

I, Kathleen M. Sullivan, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am a partner at Quinn Emanuel Urquhart & Sullivan, LLP, and counsel for Plaintiff-Appellant Cisco Systems, Inc. (“Cisco”) in this appeal. I submit this declaration in support of Cisco’s unopposed motion to extend the time to file its opening brief.

2. Cisco has appealed the December 19, 2016 final judgment and the May 10, 2017 Order Denying Motions For Judgment As A Matter Of Law And Motion For A New Trial of the U.S. District Court for the Northern District of California (Freeman, J.).

3. Cisco's opening brief in this appeal is currently due on August 14, 2017. Cisco respectfully requests a thirty (30) day extension of this deadline, to September 13, 2017.

4. Although counsel have been working diligently to prepare Cisco's opening brief, the undersigned (who is lead appellate counsel) has pre-existing obligations, both before and immediately after the present deadline, which have reduced the time available to work on Cisco's opening brief. These obligations include:

- (a) a petition for a writ of certiorari due August 10, 2017, in the Supreme Court of the United States in *Dow AgroSciences LLC v. Bayer CropScience AG* (No. 17-___);
- (b) a petition for a writ of certiorari due August 21, 2017, in the Supreme Court of the United States in *Farnum Place, LLC v. Krys* (No. 17-___); and
- (c) a reply brief due August 25, 2017, in the U.S. Court of Appeals for the Fifth Circuit in *Donald R. Miller, Jr. et al. v. Internal Revenue Service* (No. 16-11604).

5. Cisco has not made any prior requests for an extension of time in this appeal.

6. Counsel for Cisco has discussed this motion with counsel for Defendant-Appellee Arista Networks, Inc. (“Arista”). Arista consents to this motion and will not file a response.

Dated: July 10, 2017

Respectfully submitted,

By: /s/ Kathleen M. Sullivan

Kathleen M. Sullivan

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